

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

RESCUECOM CORPORATION,

Plaintiff,

vs.

GOOGLE, INC.

Defendant.

5:04-CV-1055 (NAM)(GHL)

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the Declaration of Shawn Patrick Regan, counsel for Defendant Google Inc., (“Defendant”) dated November 8, 2004, with exhibits thereto, the Memorandum of Law in Support of Defendant’s Motion to Dismiss the Complaint and all prior pleadings and proceedings had herein, Defendant will move this Court for an order dismissing the complaint before the Honorable Norman A. Mordue on Wednesday, December 15, 2004, at 10:00 a.m. and for such other and further relief as the Court may deem just and proper.

Dated: New York, New York
November 8, 2004

HUNTON & WILLIAMS LLP

By: /s/ Shawn Patrick Regan
Shawn Patrick Regan, Esq.
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TO: Edmund J. Gegan, Esq.
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2560 Burnet Avenue
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Counsel for Plaintiff Rescuecom Corporation

DECLARATION OF SERVICE

Raymond E. Galbraith, hereby declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, that:

I am a Litigation Paralegal at the firm of Hunton & Williams LLP, attorneys for Defendant Google, Inc.

That on November 8, 2004, I served a true copy of the foregoing on counsel for Plaintiff, via electronic service, at the address listed below

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 8, 2004.

/s/ Raymond E. Galbraith
Raymond E. Galbraith

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